



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 21 2016

OFFICE OF
CIVIL RIGHTS

RETURN RECEIPT REQUESTED

Certified Mail #: 7015 1520 0002 0019 1826

In Reply Refer To:

EPA File No: 05D-15-R6

Mr. Adrian Montemayor
System Manager
Webb County Utilities Department
1000 Houston Street
Laredo, Texas 78040

Re: Rejection of Administrative Complaint

Dear Mr. Montemayor:

This is to notify you that the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) has rejected an administrative complaint received on February 18, 2015, alleging that the City of Laredo, the Webb County Utilities Department, and the Texas Commission on Environmental Quality failed to repair sewer pipes affecting the complainant's residence. After careful review, the complaint is rejected and the case is closed as of the date of this letter.

Pursuant to EPA's nondiscrimination administrative regulations, OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral to another federal agency. (See 40 C.F.R. § 7.120(d)(1).) To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulations. First, it must be in writing. (See 40 C.F.R. § 7.120(b)(1).) Second, it must allege discriminatory acts that would violate EPA's nondiscrimination regulations, such as an intentionally discriminatory act or a policy with discriminatory effects based on race, color, national origin, sex, age or disability. *Id.* Third, it must be received filed within 180 calendar days of the alleged discriminatory act. (See 40 C.F.R. § 7.120(b)(2).) Finally, it must be filed against an applicant for, or a recipient of, EPA financial assistance that committed the alleged discriminatory act. (See 40 C.F.R. § 7.15.)

OCR has concluded that it cannot accept the subject complaint for investigation because it does not meet the jurisdictional requirements described in the EPA's nondiscrimination regulations. First, the complaint did not describe an alleged discriminatory act that, if true, would violate the EPA's nondiscrimination regulations. Second, the City of Laredo and the Webb County Utilities Department are not current recipients of EPA financial assistance. Additionally, the OCR is unable to determine the date(s) that the alleged discriminatory act occurred.

If you have any questions about this letter, please contact Ericka Farrell of my staff by telephone at (202) 564-0717, via electronic mail at farrell.ericka@epa.gov, or by mail at: U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-1000.

Sincerely,



Velveta Golightly-Howell
Director
Office of Civil Rights

cc: Elise Packard
Associate General Counsel
Civil Rights & Finance Law Office

Samuel Coleman
Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA Region 6